

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

‘O’

Case No.	2:15-cv-03238-CAS (AJWx)	Date	August 29, 2017
Title	DCD PARTNERS, LLC ET AL. V. TRANSAMERICA LIFE INSURANCE COMPANY ET AL.		

Present: The Honorable CHRISTINA A. SNYDER

Catherine Jeang

Not Present

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

Proceedings: (IN CHAMBERS) – DEFENDANT’S REQUEST FOR CLARIFICATION OF SCOPE AND FORMAT OF JURY AND BENCH TRIAL (Filed August 25, 2017, dkt. 345)

The Court finds this motion appropriate for decision without oral argument. See Fed. R. Civ. P. 78; CD. Cal. L.R. 7–15. The matter is hereby taken under submission.

On August 25, 2017, defendant Transamerica Life Insurance Company (“Transamerica”) filed a request that the Court clarify the proper sequence of the jury and bench phases of the upcoming trial—set to commence on September 5, 2017—and the scope of the evidence to be presented to the jury. Dkt. 345. On August 28, 2017, plaintiffs DCD Partners, LLC (“DCD”), et al., filed a response arguing that Transamerica’s request for clarification should be treated as an improper motion to bifurcate and that DCD’s proposed evidence is admissible. Dkt. 346.

To the extent there was any ambiguity in the Court’s prior instructions, it is hereby ORDERED as follows: The trial will proceed in two stages. First, DCD’s claims for breach of contract and breach of the implied covenant of good faith and fair dealing will be tried to the jury. Second, the Court will separately conduct a bench trial as to DCD’s unfair business practices and declaratory judgment claims, which are equitable in nature. The only evidence that will be admissible during the jury phase of the trial will be evidence relevant to DCD’s claims for breach of contract and breach of the implied

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covenant of good faith and fair dealing, as set forth in the Court’s order on the parties’ motions in limine, dated August 21, 2017 (dkt. 344).

IT IS SO ORDERED.

Initials of Preparer	00	:	00
	CMJ		